

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:02-cr-00024-MR-1**

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.) O R D E R
)
)
MICHAEL O'NEAL WATERS,)
)
)
 Defendant.)
)

)

THIS MATTER is before the Court upon the Defendant's request for an early termination of his term of supervised release [Doc. 36].

On April 23, 2002, the Defendant pleaded guilty pursuant to a written plea agreement to one count of conspiracy to distribute cocaine and cocaine base, in violation of 21 U.S.C. §§ 841 and 846. [Docs. 14, 16]. The Defendant was sentenced on August 21, 2002, to a term of 240 months of imprisonment, followed by ten (10) years of supervised release. [Doc. 18].

The Defendant now moves the Court to exercise its discretion and terminate his term of supervised release pursuant to 18 U.S.C. § 3583(e)(1). [Doc. 36].

In order to terminate a defendant's term of supervised release, the Court must be "satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C. § 3583(e)(1). In the present case, the Defendant has completed only two years of his ten-year term of supervised release. While the Defendant's compliance with the terms and conditions of supervised release is commendable, the Court is not satisfied that termination is warranted at this time. Accordingly, the Court declines to exercise its discretion to terminate the Defendant's term of supervised release.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Defendant's request for an early termination of his term of supervised release [Doc. 36] is **DENIED WITHOUT PREJUDICE**. The Defendant's term of supervised release shall continue as originally sentenced.

The Clerk is directed to serve a copy of this Order on the Defendant, counsel for the Government, and the United States Probation Office.

IT IS SO ORDERED.

Signed: September 22, 2020



Martin Reidinger
Chief United States District Judge

